

**FREEDOM OF INFORMATION
AND
PRIVACY ACTS**

Subject: Julius Rosenberg

File Number: New York "See References"

Section: Batch 31



FEDERAL BUREAU OF INVESTIGATION

NOTICE

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Julius Rosenberg Et AL.

New York "See References"

Batch
Number

31

NEW YORK FILES
"SEE REFERENCES"REVIEWED BY 228/PLSFile No: Batch 31Re: Julius Rosenberg et alDate: 3/78

(month/year)

File No. & Serial No.	Date	Description (Type of communication, to, from)	No. of Pages		Exemptions used or, to whom referred (Identify statute if (b)(3) cited)
			Actual	Released	
65-22043		NY SA memo to SOG	3	—	see NY 65-15403
1211	6-2-64	(JR)			
65-22043		CG letter to HQ	7	3	4 pgs - O/S
1429	7-9-64	(ER, JR)			see Bufile 65-58236
65-22043		BS LHM to HQ	17	—	see Bufile 65-58236
2477	2-18-64	Encl. to 2478 (EF)			
65-22043		BS letter to HQ	3	—	
2478	2-18-64				
65-22043		BU letter to HQ	5	2	3 pgs - O/S
2615	5-21-68	(HG)			same as 65-22043-1429 above
65-22743		CG letter to HQ	7	3	4 pgs - O/S Dup pgs - 3
72-83	7-9-64	(ER, JR)			
1221	9-26-56	NY Report to HQ	100	7	93 pgs - O/S
93-575		(MS)			
5	10-14-52	NY Report to HQ	10	10	
94-1200		(AR)			
A-17	10-15-59	NY Post News Article	8	8	
97-169		(JR)			
A-9221	3-26-52	NY SA memo to file	1	—	no Rosenberg principles mentioned in this serial
		(HG)			

DIRECTOR, FBI (65-68734)

7/17/64

SAC, CHICAGO (65-4732) (C)

CHANGED
ROGER HENRY HILDEBRAND, aka
Roger H. Hildebrand
ESP - R.
(CORKER)

(OO: Chicago)

The title is marked "Changed" to reflect subject's name as ROGER HENRY HILDEBRAND as indicated in a personnel security questionnaire filled out by the subject's father, JOEL HENRY HILDEBRAND, reflecting that his son's full name was ROGER HENRY HILDEBRAND.

- 3 - Bureau (RM)
 - (1 - 65-67551) (CORKER)
- 2 - New York (65-22043) (RM)
- 2 - Chicago
 - (1 - 65-4633) (CORKER)

JPH:kmg
(7)

ICC. To NY 65-22743
EJC

65-22043-1429

SEARCHED	INDEXED
SERIALIZED	FILED
JUL 15 1964	
FBI - NEW YORK	
CLERK	80

05

CG 65-4732

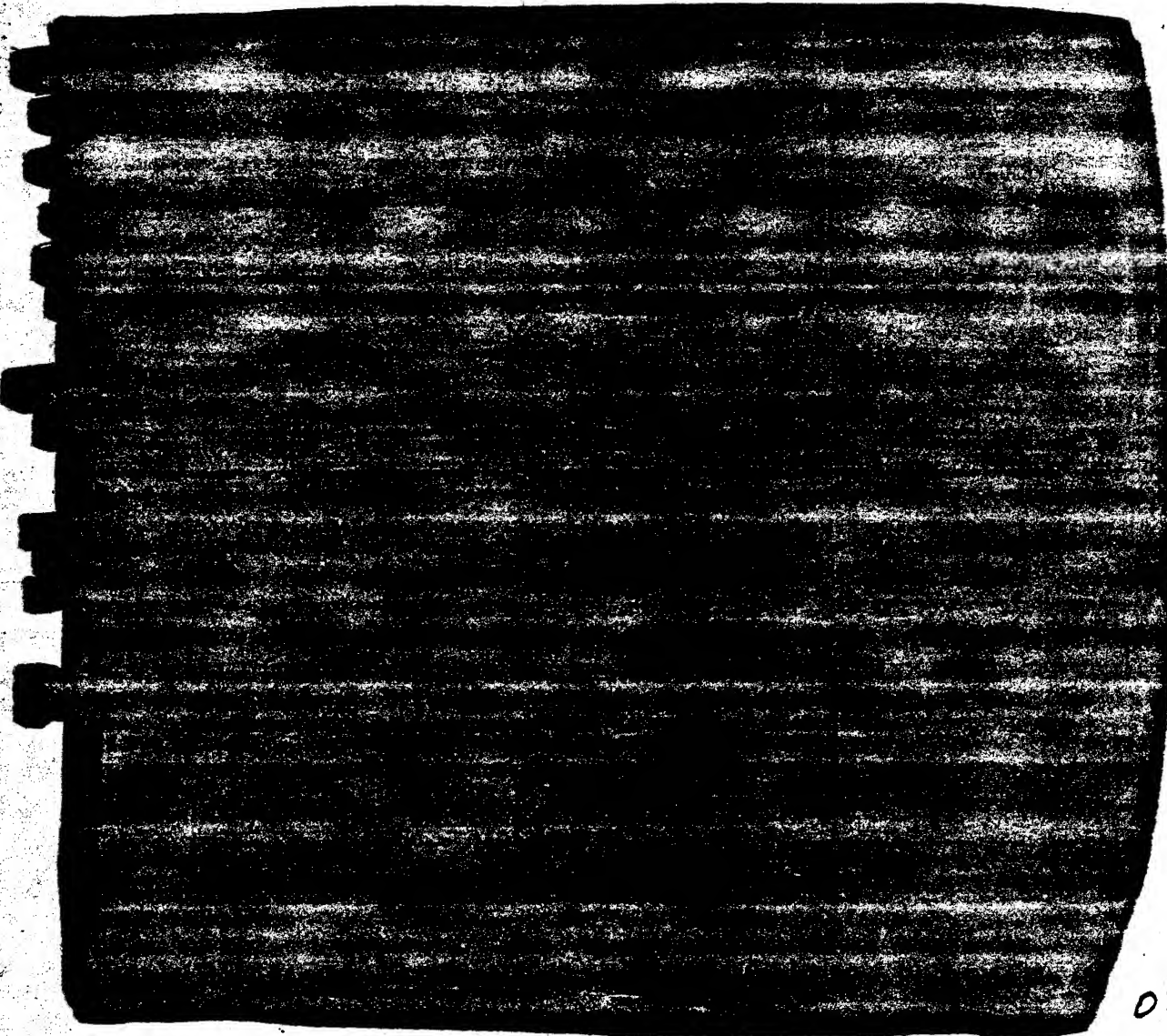
12

Chicago file 116-48276 indicates that the name ROGER HENRY HILDEBRAND, Assistant Professor, University of Illinois, appeared on a full-page advertisement in the "Chicago Daily News", a daily newspaper, dated June 12, 1953. This advertisement was in the form of an open letter to President EISENHOWER requesting that consideration be given to granting clemency to JULIUS and ETHEL ROSENBERG.

JULIUS ROSENBERG

CG 65-4732

JULIUS and ETHEL ROSENBERG were convicted on March 29, 1951, in the United States District Court, Southern District of New York, for conspiracy to commit espionage. The ROSENBERGs were later executed in Sing Sing Prison, at Ossining, New York, on June 19, 1953.



5/21/63

LESLIE GEORGE SCOTT BROOKER, aka
ESP - R (CORKER)

ReBulet, 3/5/68; and mylet to Bureau, 3/25/68.

b7c

On 4/15/68, an attempt was made to locate Dr. BROOKER for interview, which revealed that he has continued his vacation in California for an additional week and is now expected to return to Rochester in a week or two weeks.

b7c

At the beginning of the interview, Dr. BROOKER advised he had previously been interviewed by FBI Agents about twenty years ago.

3 - Bureau (RM)
(1 - 65-67551)
③ - New York (RM)
(2 - 65-22668)
(1 - 65-22043)
2 - Buffalo
(1 - 65-2592, CORNER)

WGA; mfr
(8)

SEARCHED INDEXED
SERIALIZED FILED
342 MAY 24 1968
FBI - NEW YORK

RECOMMENDATION

The interview of Dr. BROOKER appeared to be successful in alerting him to the FBI's responsibilities in the field of Internal Security and to seek his cooperation in the event he should be contacted for development by the Soviets in the future. Dr. BROOKER appeared to have a sharp memory for information in the distant past, however, explained that his memory of recent events were affected by his recent stroke. He exhibited a knowledge of the activities of highly publicized intelligence agents back to the days of HARRY GOLD and most recently to the press stories of a KGB Agent in the French Government. It was noted he kept referring to such activities as distasteful and indicated he "would not have the stomach for such work." It was noted he questioned whether the Soviets were as active as indicated by the press to develop "spies" and indicated a lot of his reading, which was obtained through the "Sunday Times," sent to him from London by a friend, appeared to indicate espionage is commonplace in today's society.

It is noted that information furnished by Dr. BROOKER pertaining to a prior interview, probably refers to investigation conducted in 1950, pertaining to investigation entitled "ALFRED DEAN SLACK, ESPIONAGE - R," Buffalo file 65-1705, report of SA LEO J. KENNEDY, which on Pages 2, and 30 reflects that "suspect" RICHARD M. BRIGGS referred to Dr. BROOKER as the "logical type to approach to obtain information."

In view of his indicated cooperation in the event of any future contacts, and in view of his health, age, and attitude, it does not appear that Dr. BROOKER would possess any good potential as an Exsec Informant. Results of the interview are furnished for review by the Bureau and New York. Buffalo contemplates no further action and case is being closed.

DIRECTOR, FBI (65-68734)

79/64

SAC, CHICAGO (65-4732) (C)

CHANGED

ROGER HENRY HILDEBRAND, aka

Roger H. Hildebrand

ESP - R

(CORKER)

(OO: Chicago)

Indicated

The title is marked "Changed" to reflect subject's name as ROGER HENRY HILDEBRAND as indicated in a personnel security questionnaire filled out by the subject's father, JOEL HENRY HILDEBRAND, reflecting that his son's full name was ROGER HENRY HILDEBRAND.

- 3 - Bureau (RM)
 (1 - 65-67551) (CORKER)
2 - New York (65-32943) (RM)
2 - Chicago
 (1 - 65-4633) (CORKER)

JPH:kmg
(7)

65-22743-6

SEARCHED	INDEXED
SERIALIZED	FILED
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FBI - NEW YORK	

Epilford

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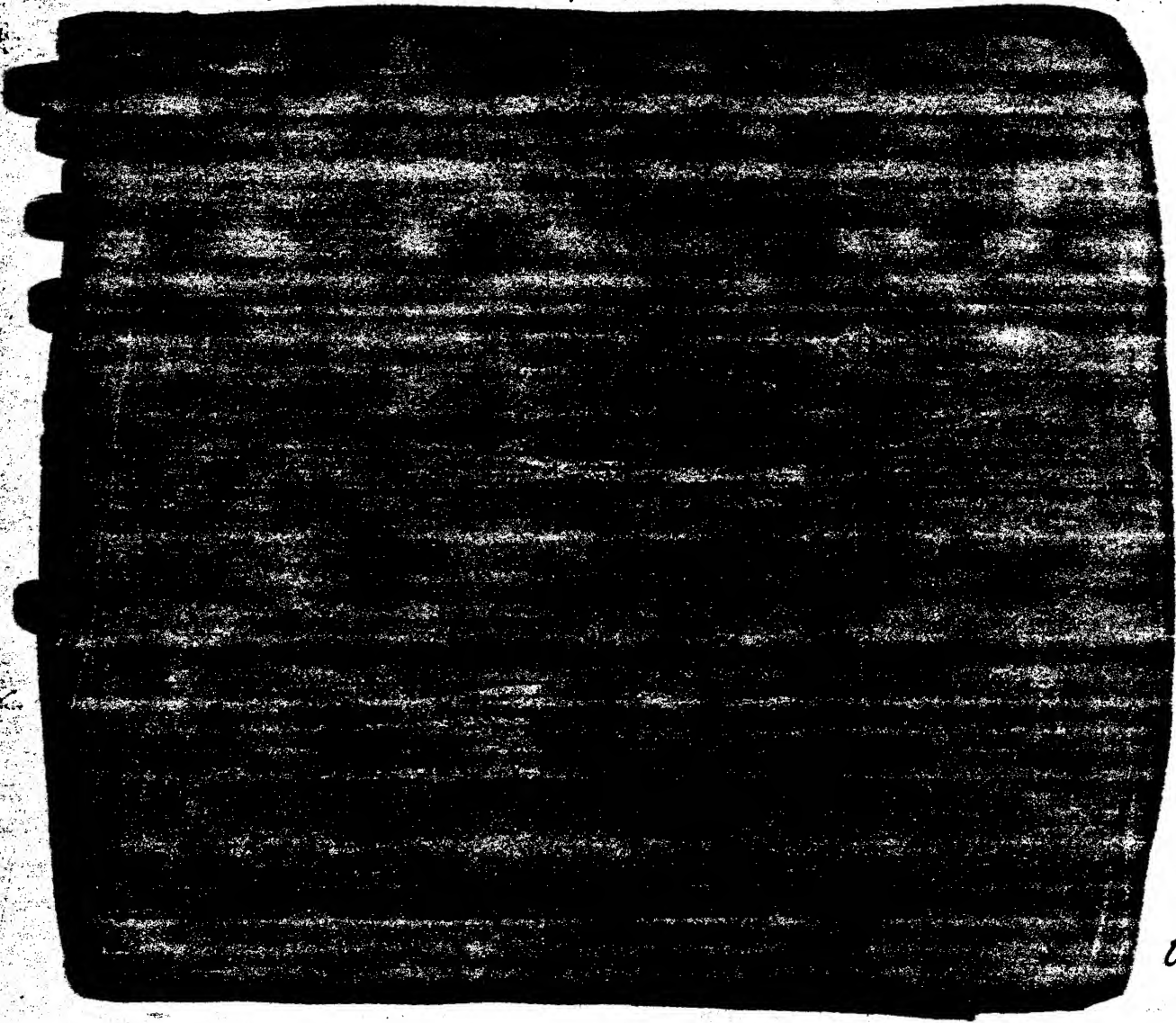
[REDACTED]

Chicago file 116-48273 indicates that the name ROGER HENRY HILDEBRAND, Assistant Professor, University of Illinois, appeared on a full-page advertisement in the "Chicago Daily News", a daily newspaper, dated June 12, 1953. This advertisement was in the form of an open letter to President EISENHOWER requesting that consideration be given to granting clemency to JULIUS and ETHEL ROSENBERG.

JULIUS ROSENBERG

CG 65-4732

JULIUS and ETHEL ROSENBERG were convicted on March 29, 1951, in the United States District Court, Southern District of New York, for conspiracy to commit espionage. The ROSENBERGs were later executed in Sing Sing Prison, at Ossining, New York, on June 19, 1953.

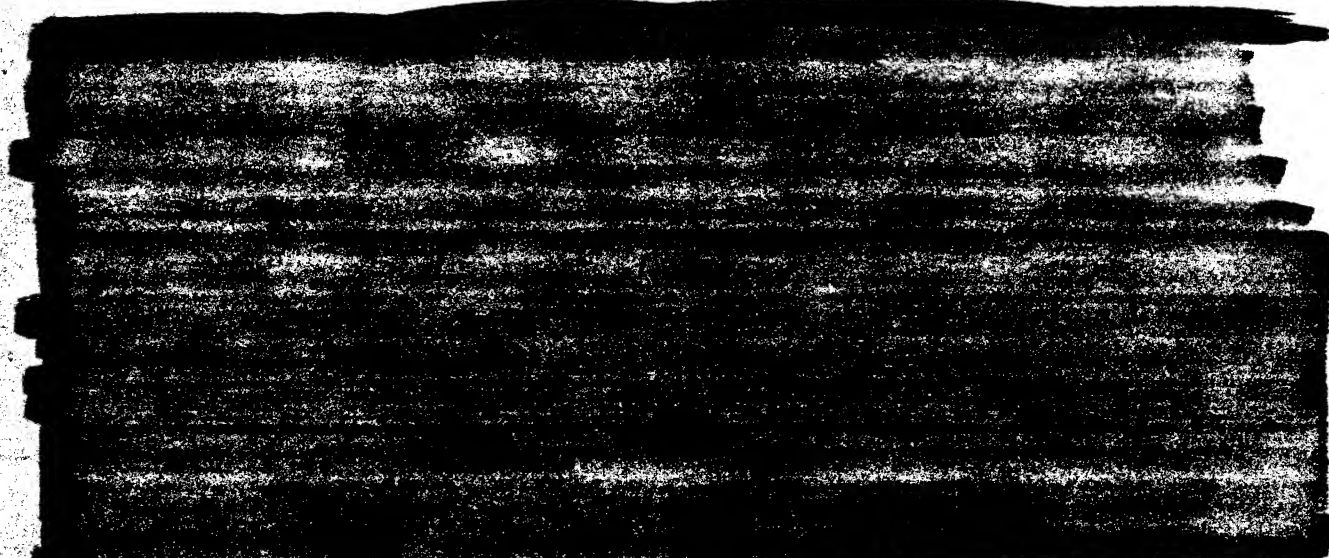


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FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE NEW YORK	OFFICE OF ORIGIN NEW YORK	DATE 9/26/56	INVESTIGATIVE PERIOD 8/10: 9/20, 21, 22, 24, 25/56
TITLE OF CASE ABRAHAM TELVI, was (deceased); ET AL VICTOR RIESEL-VICTIM		REPORT MADE BY NICHOLAS L. DUNBAR	TYPED BY jew
		CHARACTER OF CASE OBSTRUCTION OF JUSTICE; CONSPIRACY; UNLAWFUL FLIGHT TO AVOID PROSECUTION	

SYNOPSIS:



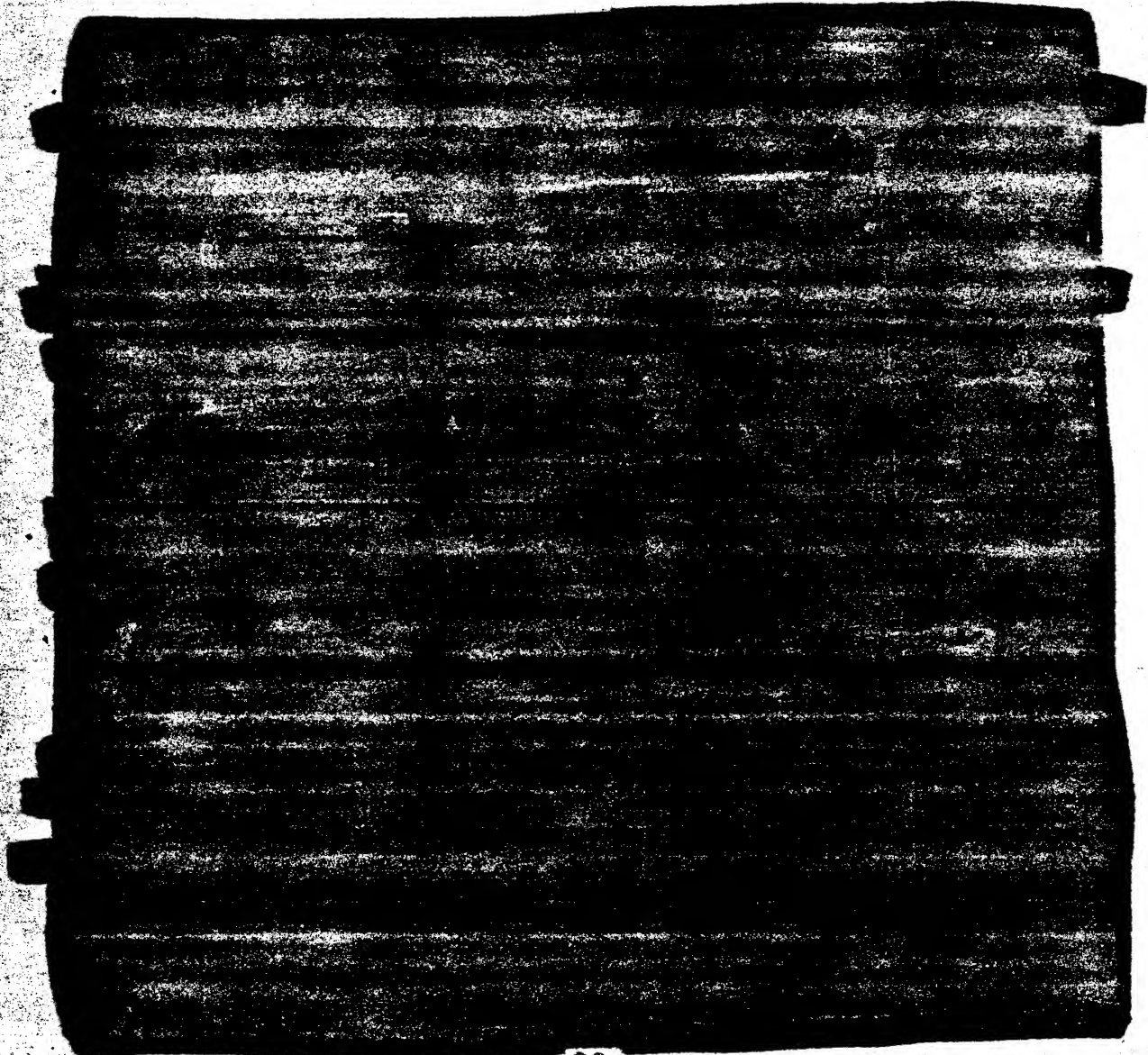
review made of RIESEL's newspaper articles for period 1955 to 4/5/56; results of such review reported herein.

APPROVED <i>[Signature]</i>	SPECIAL AGENT IN CHARGE <i>[Signature]</i>	DO NOT WRITE IN SPACES BELOW
COPIES MADE 5 - Bureau (72-964) 1 - USA, SDNY 10 - New York (72-83)		<div style="font-size: 2em; font-weight: bold;">72-83-1221</div> <div style="margin-top: 20px;"> FILED OCT 1 1956 FBI - NEW YORK </div>

NY 72-83

REVIEW OF RIESEL'S ARTICLES FROM
JANUARY 1955 TO APRIL 5, 1956

The following articles, entitled "Inside
Labor" by VICTOR RIESEL, were reviewed August 10,
1956 by SA F. J. MC LAUGHLIN, JR.:



NY 72-83

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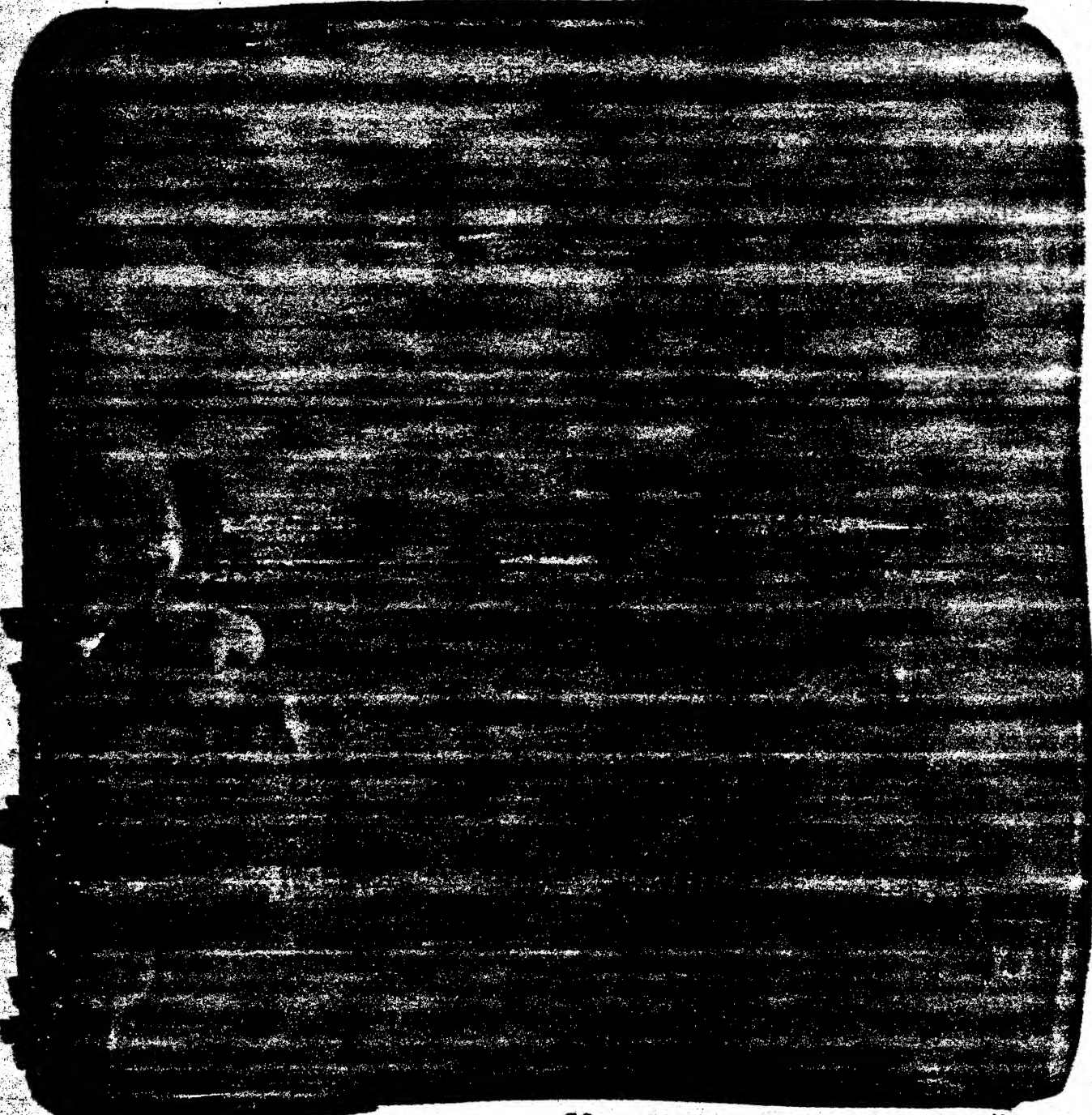
January 17, 1955

Concerns an exchange of letter between J. ROBERT
OPPENHEIMER and Congressman FRANCIS WALTER concerning
OPPENHEIMER's statement that scientist had been turned
away from United States .

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NY 72-83

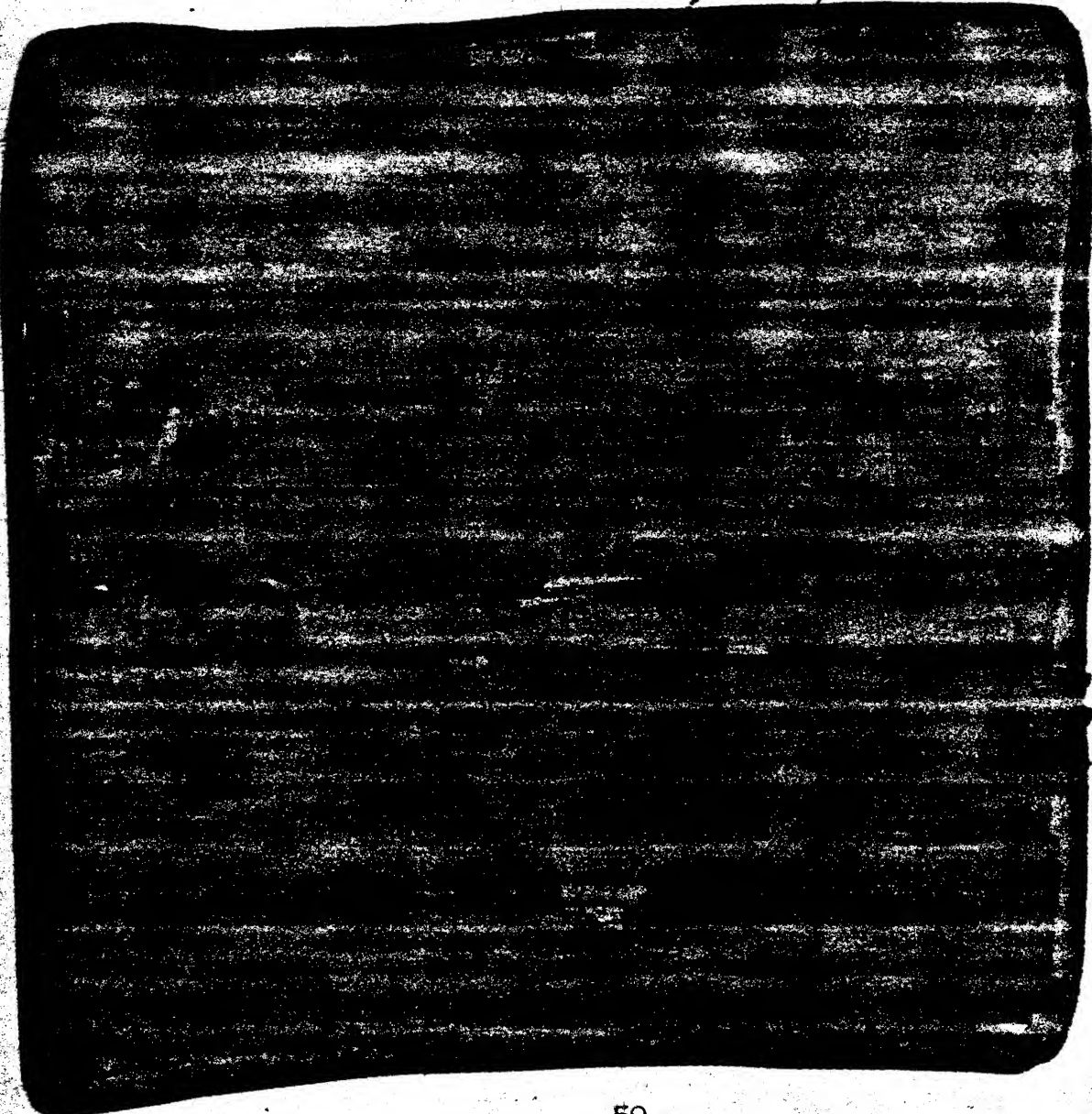
The following articles, entitled "Inside Labor," by
VICTOR RIESEL, were reviewed August 10, 1956, by SA J. W. TIMELY:



NY 72-83

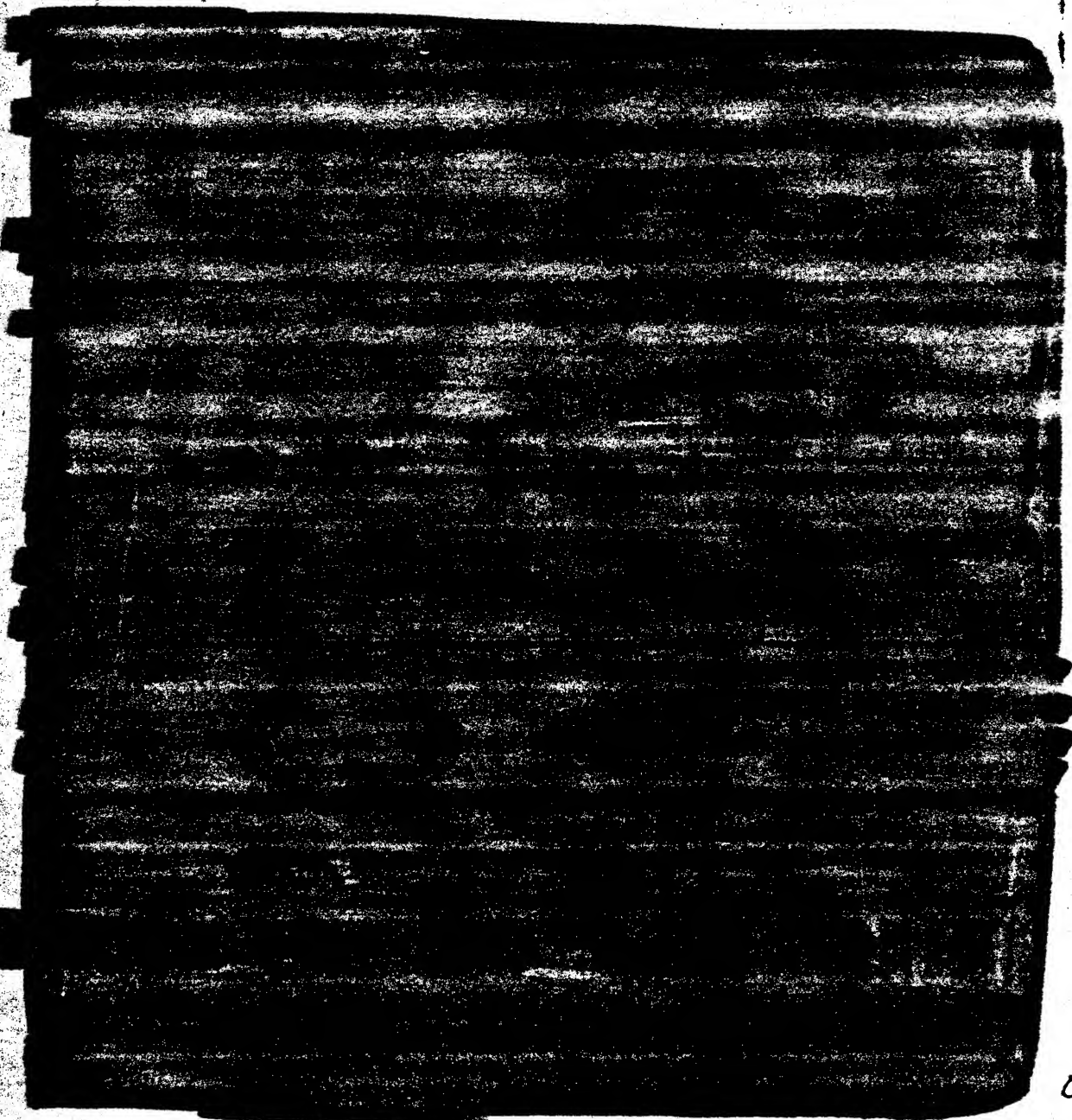
October 8, 1955

Article deals with strike at Perfect Circle
Corporation, Ind., race for vice-presidency of CIO's
United Steelworkers, and Senator WILLIAM LANGER's
(North Dakota) espousal of MORTON SOBELL, convicted spy.

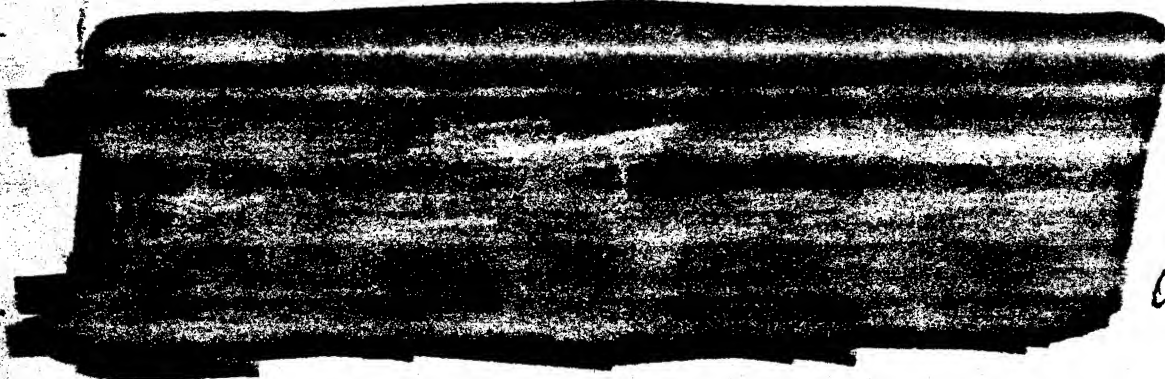


February 1, 1956

The following articles, entitled "Inside Labor" by VICTOR RIESEL, were reviewed August 10, 1956, by SA WILLIAM K. SHORTALL.



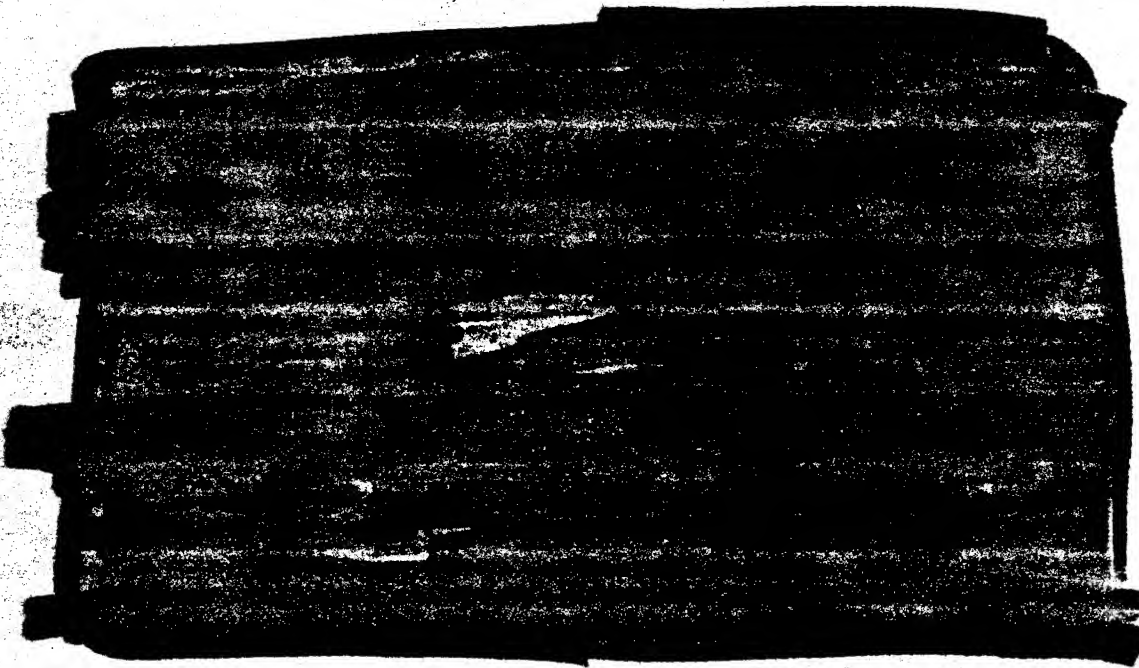
NY 12-83



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March 7, 1956

This article deals with the Communist Party's drive, lead by AARON SCHNEIDER, to launch a new drive for the freedom of convicted atomic spy, MORTON SOBELL. It points out SCHNEIDER's union organizing experience, especially with the pro-Communist United Office and Professional Workers Union.



05

FEDERAL BUREAU OF INVESTIGATION

Form No. 1

THIS CASE ORIGINATED AT

NEW YORK

FILE NO.

AMP

REPORT MADE AT NEW YORK	DATE WHEN MADE OCT 14 1952	PERIOD FOR WHICH MADE 9/4-5, 8-11, 23; 10/3/52	REPORT MADE BY JOHN M. COLLINS
TITLE MIRIAM MOSKOWITZ, wa. Miriam Rachel Moskowitz			CHARACTER OF CASE ASCERTAINING FINANCIAL ABILITY

SYNOPSIS OF FACTS:

Investigation predicated on request of USA, SDNY to determine assets of subject. She was partner in firm A. BROTHMAN and Associates which went out of business in 1950. Firm had contact with Stanton Laboratories, Philadelphia, Pa. for designing process to manufacture ammonium thyo-glycolate, amount due under contract never collected by BROTHMAN firm. Check of New York City banks negative re assets. Credit negative.

P -

DETAILS:

This case is predicated upon a request from the United States Attorney, Southern District of New York, for an investigation to determine subject's assets in order that efforts might be made to collect from her a fine of \$10,000. levied against her in November 1950.

APPROVED AND FORWARDED:	SPECIAL AGENT IN CHARGE	DO NOT WRITE IN THESE SPACES	
<p><i>[Handwritten signature]</i></p> <p>COPIES OF THIS REPORT</p> <p>3-Bureau 1-USA, SDNY 2-Philadelphia 2-New York (93-575)</p> <p><i>[Handwritten notes: 1 copy to Bureau, 1 copy to Phila. office, 1 copy to New York office, 4/13/53]</i></p>		<p>93-575-15</p> <p><i>[Handwritten initials]</i></p>	

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NY 92-585

The records of the County Clrk's Office, New York County, Supreme Court Building, New York City, reflect that Partnership Certificate No. 2161 was filed February 28, 1945 by MIRIAM MOSKOWITZ, 151 Eighth Avenue, New York City. The certificate listed the following partners:

ABRAHAM BROTHMAN
4108 42nd Street
Long Island City

JULES KORCHIEN
46 Washington Square South
New York City

OSCAR J. VAGO
6607 99th Street
Forest Hills

GERHARD N. WOLLAN
28 Reeve Place
Brooklyn

The partnership was to do business at 114 East 32nd Street, New York City. On October 16, 1946 Certificate of Dissolution of the above partnership was filed by MIRIAM MOSKOWITZ, Room 1215, 29-28 41st Avenue, Long Island City, listing the same four partners as above.

On September 16, 1950 Certificate of Amendment of the Certificate of Incorporation of Ulster Chemicals Incorporated was filed by LOUIS B. SCHEINMAN and CLARK KORNBLAU as President and Secretary, respectively, of Ulster Chemicals Incorporated. The Certificate of Amendment indicates that the Certificate of Incorporation was filed March 29, 1949 at the office of the Department of State, Albany, New York. The Certificate of Amendment amended the original certificate as follows: The name was changed from Ulster Chemicals Inc. to Tested Chemicals Inc. The place of business was changed to 350 Fifth Avenue, New York City, care of WILLIAM L. MESSING.

The records of the Clerk of the United States District Court, Southern District of New York, Bankruptcy Docket No. 87857,

NY 92-175

reflect that a Voluntary Bankruptcy Petition was filed by Tested Chemicals Inc. on April 30, 1951 before Judge EDWARD WEINFELD, Southern District of New York. CLARE KORNBLAU signed the petition as Secretary of the corporation.

At the same time a petition was filed requesting the court's permission to extend filing dates of schedules for twenty days and Statement of Affairs for ten days. This petition stated that this request was made necessary by the fact that Kepec Chemical Corporation, landlord of the premises occupied by Tested Chemicals, had served notice on Tested Chemicals that it would sell all of the assets at a "distress sale" on April 30, 1951 to pay \$900.00 rent due the landlord. The equipment on the premises was estimated to be worth \$8,000.00 to \$10,000.00.

Schedules and a Statement of Affairs were filed on May 11, 1951. They reflected that the business was engaged in the development and manufacture of chemical products but that the business never commenced. The Statement of Affairs indicates that the books were under the supervision of MIRIAM MOSKOWITZ, 772 Boulevard, Bayonne, New Jersey from September 1950 to November 1950 and under the supervision of S. J. MOSKOWITZ and LOUIS SCHEINMAN from March 1949 to September 1950. LEO SCHAEFFER, 444 Madison Avenue, New York City was listed as the auditor. The books and records were stated to be in the possession of CLARE KORNBLAU, 82 Danforth Avenue, Jersey City, New Jersey. Bank accounts were listed at the People's National Bank of Keyport in the names of CLARE KORNBLAU and ESTHER TANYA and at Broadway National Bank, Bayonne, in the names of LOUIS SCHEINMAN and S. J. MOSKOWITZ. The officers were listed as follows:

CLARE KORNBLAU, Secretary
82 Danforth Avenue
Jersey City

ESTHER TANYA, Treasurer
349 East 51st Street
New York City

LOUIS SCHEINMAN, President
Woodburne, New York

The creditors included the following:

NY 93-575

Hillside National Bank, 1320 North Broad Street, Hillside, New Jersey, was listed as a secured creditor holding a chattel mortgage on a piece of machinery as security for a \$1,000.00 note on which \$600.00 was due.

Unsecured Creditors:

GEORGE MACK, Cliffwood, New Jersey, for labor	\$ 850.00
FRED RICHARDSON, Cliffwood, labor	660.00
Peoples National Bank of Keyport, Keyport, New Jersey, note	1,800.00
ESTHER TANYA, loan	2,000.00
S. J. MOSKOWITZ, loan	2,000.00
BENJAMIN DOWSTEIN, Ellenville, New York, loan	1,000.00
LOUIS SCHEINMAN, endorser on two notes	1,000.00 1,800.00

Also listed were numerous accounts payable for merchandise and equipment, making up total liabilities of \$20,697.66.

The following assets were listed:

Lease with Kepoc Chemical Corpora- tion, security deposit	\$ 675.00
Machinery and equipment at plant in Cliffwood, New Jersey	8,000.00
Insurance policies, Bankers Indemnity- Workmen's Compensation, Homeland Insurance Company, fire insurance - value of policies not known	

There were no other assets listed.

SAM LIPSON, attorney, 67 West 14th Street, New York City advised that he was attorney for the Trustee in Bankruptcy of Tested Chemicals Inc. He made available all the books and records that had been turned over to him. These records included cancelled checks, bank statements and passbooks from the People's National Bank of Keyport and the National Bank of Bayonne. No other books and records were available and LIPSON stated that since the company never commenced doing business, he did not believe any other records existed.

LIPSON stated that the machinery and equipment had been sold at auction for \$7,776.25, of which \$4,046.93 was turned over to the Trustee, the remaining \$3,729.32 going for expenses. LIPSON stated that there were no other assets to be disposed of and as far as he is concerned, the matter is closed.

It should be noted that during interviews conducted during 1950 with ABRAHAM BROTHMAN and MIRIAM MOSKOWITZ by agents of the New York Office of the FBI, both advised that Ulster Chemicals Inc. was established to manufacture a home permanent wave lotion. Both BROTHMAN and MOSKOWITZ were hired by Ulster to design the plant and set up the process for manufacturing this lotion. At the time of their arrest on July 29, 1950, they were still working on this process.

Confidential Informant T-1, of known reliability, advised that the firm of A. BROTHMAN and Associates formerly maintained a bank account at the Long Island City Branch of the National City Bank, Bridge Plaza North at 29th Street, Long Island City, which account was closed in 1950.

Confidential Informant T-2, of known reliability, advised that MIRIAM MOSKOWITZ formerly maintained Savings Account No. 46805 at the Empire City Savings Bank, 2 Park Avenue, New York City. The informant stated that this account was opened on November 4, 1944 with a \$60.00 deposit and reached a high of \$1,019.64 on November 17, 1945. The account was closed on August 28, 1950 but from June 1947 to its closing, the account never exceeded \$80.00. The signature card reflected the notation: "Signature OK, Emigrant Savings Bank".

Confidential Informant T-3, of known reliability, advised that MIRIAM MOSKOWITZ formerly had Savings Account Nos. 400802 and 397489 at the Emigrant Savings Bank, 5 East 42nd Street, New York City.

NY 82-575

Account No. 400802 was opened on October 22, 1943 with an initial deposit of \$79.75. This account was a joint account with HILDA MINTZ. The account reached a high of \$1,594.20 on November 24, 1943 and was closed on December 22, 1943 with a withdrawal of \$1,153.04. There were frequent deposits in this account and the informant stated that these deposits were indicated to be in cash. The following withdrawals were made:

October 27, 1943	\$ 275.00
November 24, 1943	1,300.00
December 9, 1943	300.00
December 22, 1943	1,153.04

Account No. 397489 was opened on July 27, 1943 with a deposit of \$5.00 in cash. The balance in this account never exceeded \$84.00 and the account was closed on October 7, 1944 with a \$60.74 withdrawal.

Confidential Informant T-4, of known reliability, furnished the following information concerning the withdrawals from the joint account of MIRIAM MOSKOWITZ and HILDA MINTZ No. 400802 at the Emigrant Savings Bank.

The following Teller's check was issued at the request of HILDA MINTZ, 25 West 23rd Street, New York City:

<u>Number</u>	<u>Amount</u>	<u>Payee</u>	<u>Endorsements</u>
805785	\$ 275.00	HILDA MINTZ	Federated Theatre Service, HILDA MINTZ, Clinton Trust Company

The following Teller's checks were issued at the request of MIRIAM MOSKOWITZ, 25 West 23rd Street, New York City:

<u>Number</u>	<u>Amount</u>	<u>Payee</u>	<u>Endorsements</u>
809918	\$ 1,300.00	Shubert Theatre	Shubert Theatre - Advance Sale Account "Party paid in full December 2"

NY 93-575

<u>Number</u>	<u>Amount</u>	<u>Payee</u>	<u>Endorsements</u>
812194	\$ 300.00	Federated Theatre Agency	Clinton Trust Company
814489	1,153.04	United Federal Workers of America	Local No. 21, Amalgamated Bank

Confidential Informant T-5, of known reliability, advised that there was no account for MIRIAM MOSKOWITZ at the Amalgamated Bank, 11 Union Square, New York City.

The information furnished by Confidential Informants T-1, T-2, T-3 and T-4 is made available on a confidential basis and is not to be made public except in a usual proceeding following the issuance of a subpoena duces tecum.

THOMAS J. KIERNAN, an attorney with the firm of CLEARY, GOTTLIEB, FRIENDLY and HAMILTON, 52 Wall Street, advised that on October 11, 1946 a certificate of partnership was filed between ABRAHAM BROTHMAN, OSCAR VAGO and MIRIAM MOSKOWITZ. This partnership was dissolved on June 3, 1948, with BROTHMAN and MOSKOWITZ continuing as a partnership without any formal agreement. Under the terms of the original agreement, BROTHMAN'S interest amounted to 70% with VAGO and MOSKOWITZ each having 15%. KIERNAN believed that under the BROTHMAN, MOSKOWITZ arrangement, her interest amounted to 30%. At the time the partnership between BROTHMAN, VAGO and MOSKOWITZ was dissolved, it had assets of \$21,515. and liabilities of \$46,481.

Further according to KIERNAN, A. BROTHMAN and Associates on November 11, 1947 entered into an agreement with Stanton Laboratories of Philadelphia, Pennsylvania in which BROTHMAN agreed to set up a process and design a plant and building for the manufacture of ammonium thyo-glycolate. For this work A. BROTHMAN and Associates were to receive \$10,500. plus 10% of Stanton's profits for five years. However, if these profits were not sufficient to give the BROTHMAN firm \$100,000. during this five year period, then the period was to be extended to ten years. KIERNAN believed that the plant was actually built by BROTHMAN and put into operation but that he was never able to collect on his agreement because Stanton claimed that the process was not as BROTHMAN had warranted. To date no action has been started by BROTHMAN

NY 93-575

to obtain this money although KIERNAN believes that it is collectible.

On November 4, 1950, JEROME KLINE, 1011 Finance Building, Philadelphia, was interviewed. KLINE stated he was Vice President of the Stanton Laboratories in Philadelphia while BROTHMAN was employed there. He said that he has been corresponding with BROTHMAN in an effort to reach a settlement about the contract between Stanton Laboratories and BROTHMAN. KLINE said BROTHMAN agreed not to enter into competition with the Stanton firm when he began work there as a chemical engineer. BROTHMAN violated this agreement after having left Stanton and entered into competition with the Stanton Laboratories.

BROTHMAN when fired by the Stanton Laboratories, said that this firm still owed him money on a contract which he had signed with them. In the week before the arrest of BROTHMAN, he had had a letter written by a group of attorneys in New York directed to the Stanton Laboratory, saying that legal suit would be instituted to collect the balance due on the BROTHMAN contract if an agreement were not reached. KLINE said that after the news of BROTHMAN'S arrest appeared in the newspapers, he wrote a letter to BROTHMAN saying that he would gladly meet BROTHMAN in Philadelphia and settle the matter. KLINE said he received no answer to this letter.

SE EDWARD C. UTZ checked the records of the Credit Bureau of Greater New York but no information pertinent to this investigation was contained therein.

There was no record of subject in the files of Confidential Informants T-6 and T-7, both of known reliability.

The following description of subject was obtained by interview and observation:

Age	36
Born	June 10, 1916, Bayonne, New Jersey
Height	5' 6"
Weight	140 pounds
Eyes	Brown
Hair	Light brown
Build	Heavy
Complexion	Light - freckles

NY 93-575

ADMINISTRATIVE

INFORMANTS

IDENTITY OF SOURCE	DATE OF ACTIVITY OR DESCRIPTION OF INFORMATION	DATE RECEIVED	AGENT WHO RECEIVED INFORMATION	FILE NUMBER AND LOCATION
-----------------------	--	------------------	--------------------------------------	--------------------------------

T-1

9/5/52

9/5/52

SAA LOUIS
H. WOIWODE

Instant
Report

b7D

T-2

9/5/52

9/5/52

SAA LOUIS
H. WOIWODE

Instant
Report

b7D

T-3

9/8/52

9/8/52

SAA LOUIS H.
WOIWODE

Instant
Report

b7D

T-4

9/8/52

9/8/52

SAA LOUIS
H. WOIWODE

Instant
Report

b7D

NY 93-575

ADMINISTRATIVE (CONTD.)INFORMANTS (CONTD.)

IDENTITY OF SOURCE	DATE OF ACTIVITY OR DESCRIPTION OF INFORMATION	DATE RECEIVED	AGENT WHO RECEIVED INFORMATION	FILE NUMBER AND LOCATION
-----------------------	--	------------------	--------------------------------------	--------------------------------

T-5

9/11/52

9/11/52

SAA DALE E.
WILLIAMSInstant
Report

b7D

T-6

b7D Negative

T-7

b7D Negative

LEADSPHILADELPHIAAt Philadelphia, Pennsylvania:

Will interview JEROME KLEIN for full details regarding the contract entered into between Stanton Laboratories and A. BROTHMAN and Associates for the manufacture of ammonium thyoglycolate.

J. Edgar Hoover And The FBI

This series was prepared by The New York Post with the assistance of staff members William Dufty, David Gelman, Edward Kosner, Irving Lieberman, Carl J. Pelleck and Joseph Barry.

ARTICLE VIII

For more than 20 years there have—in reality if not in form—been two FBIs.

The original Bureau of Investigation of the Dept. of Justice—renamed the FBI in 1934—was created with the grudging consent of Congress in 1909; the second FBI was created by a secret handwritten memo by Franklin D. Roosevelt in the fall of 1936. It was FDR who gave J. Edgar Hoover the most sweeping secret powers ever handed to a police chief in this country; Roosevelt died before he could act on a proposal by leading figures in the government to take those powers away.

The original FBI—the investigative arm of the Justice Dept.—was limited in powers and jurisdiction by specific acts of Congress.

The second FBI—an agency engaged in intelligence and counter-espionage—remains by the nature of its assignment shrouded in secrecy and equipped with relatively unlimited powers.

The dual nature of FBI operations has been responsible for some unfair criticism inflicted on the Bureau and upon Hoover in the past two decades. At the same time, the dual nature of its authority has made it possible for the FBI—unlike other government agencies engaged in intelligence or investigations of law violation—to change its role when necessary, desirable or advantageous to the Bureau.

CLIPPING FROM THE

N. Y. Post
EDITION 7th Blue Final
DATED 10/15/59
PAGE 4

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DO NOT DESTROY - PENDING LITIGATION

The Memo

The beginnings of the second FBI were first recounted in the Hoover-sponsored "FBI Story" by Don Whitehead and based on previously secret material from Bureau files: the FBI Director's personal accounts of three secret conferences with President Roosevelt in August, 1936.

"I want you to do a job for me and it must be confidential," Hoover recalls FDR telling him. The President wondered if there were some way by which he could obtain a broad *intelligence* picture of Communist and Fascist activities in relation to the economic and political life of the country.

Hoover replied that no government agency compiled such intelligence material and that the FBI lacked "specific authority to make such general investigations." FDR asked for suggestions and Hoover proposed a way: the FBI had authority under the Appropriations Act to undertake an investigation for the State Dept. when specifically requested to do so by the Secretary of State.

FDR thought this a little strange but agreed to put a handwritten memo in his safe to that effect.

Hoover supplies (via Whitehead) the substance of the second conference, with Secretary of State Hull and FDR the next day:

"Roosevelt discussed the international character of communism and fascism. He didn't like reports that Constantine Oumansky (Counsellor for the Soviet Embassy) had been running around the country . . . the State Dept. had a right and duty to know what was going on . . . [FDR] said he wanted the matter to be handled confidentially . . . The FBI should coordinate this intelligence investigation with the War Dept.'s Military Intelligence Division, the Office of Naval Intelligence and the State Dept. . . . The investigation was to be for intelligence purposes only, and not the type of investigation required for collecting evidence to be presented to a court."

The FBI Director returned to his office to send out the following personal and confidential instructions to his special agents in charge:

"The Bureau desires to obtain from all possible sources

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J. Edgar Hoover And The FBI

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information concerning subversive activities being conducted in the U. S. by Communists, Fascists and representatives of other organizations or groups advocating the overthrow or replacement of the Government of the United States by illegal methods . . ."

When Attorney General Cummings returned to Washington on Sept. 10, Hoover reported to him on the White House meetings and sent off another strictly confidential memo to his subordinates:

"In talking with the Attorney General today concerning the radical situation I informed him of the conference which I had with the President . . ."

And that's how subversive activities, counter-intelligence and "the radical situation" came to be under the aegis of the FBI.

* * *

On Sept. 6, 1939—after the fateful fortnight which began with the Nazi-Soviet pact and ended with the British-French declaration of war—President Roosevelt disclosed publicly the secret chores which he had assigned to the FBI three years before. Roosevelt said he had instructed the FBI "to take charge of investigative work in matters relating to espionage, sabotage and violations of the neutrality regulations" and asked local police to turn over data on subversive movements of the newly allied Nazis and Communists.

Within months, the dual chores of the FBI were to get Hoover and the Bureau into hot water. Some of the most conspicuous FBI failures can be traced to the fact that the Bureau had two distinct responsibilities and that the intelligence investigations of one were triggered into criminal prosecutions by the other.

THE GOLOS CASE

In September 1938, after an alert driver in a dry-cleaning firm had discovered suspicious documents in the pockets of a Soviet attache in Los Angeles, USSR official Mikhail Gorin and an accomplice were arrested by the FBI and convicted of espionage. The FBI put Soviet travel agency officials around the country under steady surveillance. One of them was Jacob Golos, Gorin's opposite number in New York, director of World Tourists Inc. But Golos wasn't simply placed under surveillance; he was summoned 20 times before a grand jury, tons of his official files were carted off for examination and finally, on Jan. 1, 1940, charges of military espionage were lodged against him.

The FBI's case against Golos, the Bureau has since conceded, was not as watertight as that which developed from the driver's discovery in Los Angeles. Golos was never indicted for espionage. He pleaded guilty to a charge of failing to register as a foreign agent, was fined \$500 and placed on probation.

Until his death in 1943, and while under what was later termed "intermittent" surveillance, Golos lived with Soviet courier Elizabeth Bentley and helped recruit other spies and couriers—including Harry Gold and Julius Rosenberg, convicted 10 years later for supplying atomic secrets to the Soviets.

Only this year, in rebutting criticism of the FBI's failure to penetrate and head off the Golos-Bentley espionage operation, a Bureau spokesman made a rare comment on Golos: "As of 1940, the FBI had no information that

could serve as a basis for arrest as a spy."

This is a good answer for the FBI; it is no answer at all for the other FBI—the secret agency engaged in intelligence and counter-intelligence. It was Hoover himself who explained the difference before a Senate committee in 1950:

"In an espionage case the identification of the wrongdoer is only the first step. What is more important is to ascertain his contacts, his objectives, his sources of information and his methods of communication. Arrest and public disclosure are steps to be taken only as a matter of last resort. It is better to know who these people are and what they are doing, and to immobilize their efforts, than it is to expose them publicly and then go through the tireless effort of identifying their successors."

THE DETROIT COMMUNIST RECRUITERS

In 1938, the FBI conducted a secret intelligence investigation in Detroit of the Communist-led recruiting service for the Spanish Loyalist armies. In February, 1940, when the Spanish war was over and the international political picture totally changed by the Nazi-Soviet Pact, the FBI, now police and not counter-spies, made a spectacular early-morning roundup of a dozen Detroit Communists.

Fully publicized, the arrests produced an uproar in Congress and in the press. Sen. Norris (D-Neb.) blasted Hoover and called him "the greatest hound for publicity on the American continent today." The controversy became so heated that Attorney General Jackson ordered an investigation of the entire roundup and, on Feb. 16, ordered the indictments quashed. The furor didn't die down until the following year.

THE CHRISTIAN FRONT RING

Simultaneously with the uproar over Detroit, Hoover personally announced the arrests of 17 Christian Fronters in New York, for plotting the overthrow of the government. Hoover said he would have preferred catching the plotters in an overt act but the early arrests were necessary to head off a bomb plot.

When the case came to trial in April, 1940, however, the FBI's case collapsed piece by piece. The FBI's chief witness turned out to be more an *agent provocateur* than a bystander-informant. Most of the defendants were acquitted; charges against the others were dropped.

And so, after the first months of 1940, President Roosevelt and Attorney General Jackson began to have some sober-second thoughts about the ability of

Hoover's FBI to help meet the her arrest for espionage 10 years wartime challenge. The reap-ago. praisal resulted in an unprecedented attempt to trim the FBI powers.

This is the way John O'Donnell reported the President's decision in the Daily News of April 29, 1940:

"President Roosevelt whittled J. Edgar Hoover, Chief of the G-Men, down to size of a number one cop today.

"Gently but firmly, the much-publicized Federal Bureau of Investigation has been stripped of its power to make so much as a single arrest on any complaint involving espionage, treason, sedition, foreign enlistment, sabotage and the hundred and one 'Foreign Agent' charges that sprout in periods of war hysteria.

"... A Neutrality Laws Unit (has) been set up to handle all wartime offenses ... Hoover not only lo: his former power but is protected from charges that he is evolving into the American equivalent of the Gestapo ...

"The Detroit arrests by the FBI of a group of 17 men and women for alleged violations of laws in connection with foreign enlistments and 'the plot to overthrow the government' announced by Hoover after his probe of the Christian Front in New York were specifically mentioned today as the reasons which compelled the White House and Justice Dept. to create new machinery to handle neutrality cases.

"To get someone who wouldn't try to make the nation's flesh creep at the arrest of insignificant crackpots the Justice Dept. turned over the new neutrality unit to Lawrence M. C. Smith, a lawyer ... more recently in the SEC."

The story of the FBI's wartime operations is reported by Whitehead as others who have been given access to the FBI archives—is an uninterrupted success story.

It has been challenged at several points by rival government agencies and officials—the Federal Communications Commission, the Office of Strategic Services, and military and naval intelligence agencies—which had wartime jurisdictional run-ins with the Bureau.

In wartime, the FBI was specifically charged with responsibility for the internal security of the continental U. S. and with counter-intelligence operations in the entire Western Hemisphere. J. Edgar Hoover had a wartime job of such awesome responsibility, involving the trust and confidence of so many people, that in many ways it rivaled the tasks assigned to the Supreme Commanders of Allied Forces—Gen. Eisenhower and MacArthur. No independent judgment of the wartime effectiveness of Hoover, as of Eisenhower or MacArthur, therefore, was possible or completely valid from any echelon short of the Presidency.

Near the close of the war, as reported in a previous article, President Roosevelt decided to cut back FBI jurisdiction in intelligence once again. He never lived to carry out the recommendations to this effect which he had asked OSS chief Gen. William J. (Wild Bill) Donovan to draft. However, after a bitter, behind-the-scenes struggle between Hoover and Donovan after FDR's death, Donovan won and President Truman set up the Central Intelligence Agency.

Hoover's FBI lost jurisdiction over intelligence in South America and its operations were confined to the continental U. S. But still, there were two FBIs, and in the postwar period, as in 1940, the most spectacular FBI failures came to pass when one FBI's intelligence investigations got intertwined with prosecutions by the other. The most famous of these was

THE COPLON CASE

The chain of events which Hoover says was the most damaging to the prestige of the FBI in modern times began when an intelligence investigation of Judith Coplon, employed in the Justice Dept.'s Foreign Agents Registration Section, was triggered into

in the course of routine surveillance of suspicious movements by Soviet officials assigned to the UN, the FBI discovered Soviet attaché Valentin Gubitchev in a rendezvous with Miss Coplon on Jan. 16, 1949. Extensive wiretapping and surveillance of the two of them led FBI agents to observe another meeting on a New York street on March 4, 1949.

At that point, the FBI took them into custody. Suspecting that Miss Coplon was serving a Soviet espionage ring, the FBI took a big gamble. It took her into custody without a warrant and questioned her at length in the hope that she would cooperate and disclose other members of the ring so that they could be kept under surveillance.

The gamble didn't pay off. Miss Coplon insisted on her innocence and refused to confess or name her accomplices. In her official duties, she'd had access to FBI files. In her purse at the time of her arrest, the FBI found data from its files copied in her own handwriting.

This was profoundly embarrassing to the Justice Dept. and to the FBI. At least three times since she'd been hired in 1943, Miss Coplon had survived extensive loyalty and security checks. Her arrest would raise questions as to the effectiveness of the whole loyalty-security apparatus.

Having gambled as an intelligence agency—and lost—the FBI had no choice but to gamble again. Miss Coplon and Gubitchev were kept in custody, charged with espionage, and their cases went before grand juries in Washington (where she had filmed the FBI files) and in New York (where she'd attempted to pass them on to Gubitchev).

Attorney General Clark tried to make the best of the situation by announcing that Miss Coplon had been trapped as a result of the loyalty-security investigation. (The following year, however, the chief of the Truman Administration's loyalty program, Seth Richardson, testified that the loyalty-security apparatus had disclosed "not one single case or evidence directing toward a case of espionage.")

And when the Coplon case came up for trial, FBI troubles multiplied.

Government prosecutors insisted that secret FBI files—which Miss Coplon had copied and taken in her handbag—should not be disclosed in the interests of national security. Federal Judge Reeves ruled that the authenticity of the copies could not be established unless the originals were produced in court and that the espionage charges depended on what the copied files contained.

Thus the FBI files were divulged in open court—one was the secret report of a special agent to whom an informant had reported that his child had seen their neighbor walking around unclothed in his own home—and cast embarrassing doubts on the whole character of "raw" FBI dossiers.

Miss Coplon's conviction on the New York charges was unanimously reversed by the U.S. Court of Appeals on the grounds that her arrest by FBI agents without a warrant was illegal.

The New York trial also produced disclosures that the FBI had taken extensive wiretap recordings of Miss Coplon in telephone conversation with her lawyer during the course of her earlier trial in Washington.

Orders had been issued in Washington to destroy the wiretap records, and—as is perfectly proper for a secret counter-intelligence agency but not for a police agency—to destroy the printed form authorizing their destruction.

Here again, somebody goofed. The secret form was not destroyed and Miss Coplon was thus handed grounds for appealing the Washington conviction. Eventually the court remanded this conviction to the lower courts for another hearing.

The Coplon case has remained

a pending matter for 10 years now.

THE ABEL CASE

The FBI again played counter-spy—then cop—in the capture and trial of Soviet secret police Col. Rudolph Ivanovich Abel in the spring of 1957. In the process enough legal questions were raised so that Abel, described as the highest-ranking Russian agent ever caught in this country, may have to be retried. The Supreme Court hears arguments this fall.

Abel entered the U. S. illegally in 1948. For several years, posing as an artist named Goldfus, he occupied a studio in Brooklyn. The studio was in plain view of the Federal Building, but Abel apparently didn't seem to have attracted the attention of the FBI. Then, in May, 1957, a Russian spy named Reno Hayhanen defected to the West and tipped off authorities to Abel.

Working on Hayhanen's tip, the FBI immediately conducted an intensive investigation of Abel according to the government's brief before the Supreme Court. Agents tailed him, lounged around Fulton St. outside his studio and rented the room adjoining his at the Hotel Latham.

But, balked by what the government calls Hayhanen's "adamant" refusal to testify in public against Abel, the FBI did not secure a criminal warrant for his arrest as a spy. Instead, in its role of counter-spy, the Bureau apparently gambled that it could persuade Abel to "cooperate," perhaps to become a valuable double agent. But that would take time—and secrecy.

Abel was taken into custody as an illegal alien under a deportation warrant requiring no public arraignment. FBI agents stood by as Immigration and Naturalization Service officers made the formal arrest in a dawn visit to Abel's hotel room on June 21, 1957. Abel was naked. INS agents with their deportation warrant and FBI agents with no warrant at all searched his room at the Latham.

After six weeks of questioning by the FBI Abel stubbornly refused to "cooperate" in any way. He was indicted for espionage and a criminal warrant for his arrest was finally secured. He was arraigned in Brooklyn and the government began shaping its case against him.

AS COUNTERSPIES

While FBI agents sought Abel's "cooperation," other G-men — as cops — collected evidence of Abel's espionage activities. They secured search warrants for the Brooklyn studio based on various objects seized in Abel's hotel room. Material from the hotel room and the studio was later used in the trial at which Abel was found guilty, sentenced to 30 years in prison and fined \$3,000.

At issue before the Supreme Court is the legality of the FBI search and seizure. Abel's court-appointed attorney contends that the search of Abel's quarters and the use of the material in the trial violates his constitutional rights because of the nature of the civil deportation warrant under which he was arrested. He claims the evidence is tainted and that the federal agents resorted to subterfuge — fair play for counterspies, but unconstitutional for cops.

A government intelligence agency — foreign or domestic — cannot by the nature of its mission be bound by rules of law in respect to perjury, wiretapping and so on. Can it therefore operate effectively as part of a double-barreled agency charged, at the same time, with investigations of violations of criminal law?

In Britain, the two government functions are kept rigidly apart. Scotland Yard has jurisdiction over criminal investigations. Intelligence is in the hands of the secret MI-5.

There are many experts in intelligence matters who insist that the British system is superior to America's two-hatted FBI, which, they say, was improvised by President Roosevelt as an emergency measure in 1936 and endures as an anachronism in 1959.

Continued Tomorrow